

**REMARKS**

Claims 1 to 58 are pending in this application. Claims 1 to 58 are subject to restriction under 35 U.S.C. § 121 as follows:

- I. Claims 1-45 drawn to a process of making a nanotube composite melt, classified in class 524, subclass 520.
- II. Claims 46-51 and 52-59 drawn to a fiber comprising polyolefin and aligned nanotubes, classified in class 524, subclass 500.

Applicants hereby elect with traverse to prosecute subject matter of Group I. Applicants respectfully submit that the Restriction Requirement is improper for the following reasons:

- 1) Applicants question why Group I is classified in class 524, subclass 520.

According to the U.S. Patent Classification found on the internet at

<http://www.uspto.gov/web/patents/classification/uspc524/defs524.htm> ,

class 524, subclass 520 pertains to synthetic resins or rubbers that contain:

“Fluorine containing monomer:

This subclass is indented under subclass 519. Subject matter wherein at least one of the ethylenic reactants contains a fluorine atom.”

- 2) Likewise, Applicants question why Group II is classified in class 524, subclass 500. According to the U.S. Patent Classification found on the internet at

<http://www.uspto.gov/web/patents/classification/uspc524/defs524.htm> ,

class 524, subclass 500 pertains to synthetic resins or rubbers that contain:

“two or more solid polymers; solid polymer or SICP and a SICP, SPFI, or an ethylenic reactant or product thereof:

This subclass is indented under subclass 1. Subject matter which involves the mixing of a nonreactant material with two or more solid polymers; or with a solid polymer and an ethylenic reactant, specified intermediate condensation product (SICP), or specified polymer-forming ingredients (SPFI); or with two specified intermediate condensation products (CISP); or with a specified intermediate condensation product and specified polymer-forming ingredients or ethylenic reactant.”

3) Applicants note that U.S. Patent Class 977, subclass 753, pertains to the new nanotechnology classification that seem to include fullerene nanostructures having a polymer binder.

4) Applicants **respectfully traverse the Examiner's characterization that the intermediate product obtained from the three-step process of Group I is deemed to be useful as a viscous coating compound in the form of [a] dispersion.** Applicant's do not understand why the Examiner has focused on one intermediate step of the claimed process to argue that the intermediate **"dispersion compound from Group I may be used as gap filler or sealant rather than being made into said fiber components other than nanotubes"** (emphasis in the Restriction Requirement, page 3).

5) Applicants note that the Examiner properly states that claims 1-45 are drawn to a process of making a **nanotube composite melt** (not a dispersion compound).

6) Applicants also note that the Examiner properly states that claims 46-51 and 52-59 are drawn to a fiber comprising polyolefin and aligned nanotubes. Applicants note that the fiber can certainly comprise the nanotube composite melt of Group I, which certainly include, *inter alia*, the polyolefin and aligned nanotubes of Group II. Because it is quite common for fiber materials to be drawn from polymers, a search of the prior art for processes for making polyolefin composite compositions would surely encompass uses of the compositions as fibers.

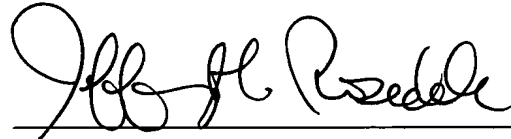
7) Applicants traverse the restriction requirement and request reconsideration thereof it would appear that examining all of the claims of Group I and Group I in a single application would not be unduly burdensome.

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**PATENT**

If the Examiner has any questions, the Examiner is invited to call the undersigned at  
(215) 557-5984.

Date: March 31, 2006

A handwritten signature in black ink, appearing to read "Jeffrey H. Rosedale", written over a horizontal line.

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